

Dé Máirt, 26 Iúil, 2011
Tuesday, 26th July, 2011

10.30 a.m.

RIAR NA hOIBRE
Order Paper

GNÓ POIBLÍ
Public Business

Tairiscint:
Motion:

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| <p>1. “(1) Go ndéanfar Buan-Ordú 91 de na Buan-Orduithe i dtaobh Gnó Phoiblí a leasú i mír (3) trí ‘Coiste Achainíochá Poiblí an tSeanaid’ a scriosadh agus ‘Coiste Comhairliúcháan Poiblí an tSeanaid’ a chur ina ionad agus</p> <p>(2) Go ndéanfar an Rún a rinne an Teach Dé Máirt an 19 Iúil, 2011 a leasú:</p> <p>(i) trí ‘Coiste Achainíochá Poiblí an tSeanaid (CAPS)’ a scriosadh agus ‘Coiste Comhairliúcháan Poiblí an tSeanaid (CCPS)’ a chur ina ionad, agus</p> <p>(ii) trí ‘CAPS’ a scriosadh agus ‘CCPS’ a chur ina ionad gach áit a bhfuil sé.</p> | <p>(1) That Standing Order 91 of the Standing Orders relative to Public Business be amended in paragraph (3) by the deletion of ‘The Seanad Public Petitions Committee’ and the substitution therefor of ‘The Seanad Public Consultation Committee.’ and</p> <p>(2) That the Resolution of the House of Tuesday 19th July 2011 be amended:</p> <p>(i) by the deletion of ‘Seanad Public Petitions Committee (SPPC)’ and the substitution therefor of ‘Seanad Public Consultation Committee (SPCC)’, and</p> <p>(ii) by the deletion of ‘SPPC’ and the substitution therefor of ‘SPCC’ in each place where it occurs.”</p> <p style="text-align: right;"><i>—Senator Maurice Cummins.</i></p> |
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| <p>2. (l) An Bille Comhshaoil (Forálacha Ilghnéitheacha), 2011 [<i>Dáil</i>] — An Dara Céim.
 (a) Environment (Miscellaneous Provisions) Bill 2011 [<i>Dáil</i>] — Second Stage.</p> | |
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| <p>3. (l) An Bille um Cheartas Coiriúil, 2011 [<i>Dáil</i>] — An Dara Céim.
 (a) Criminal Justice Bill 2011 [<i>Dáil</i>] — Second Stage.</p> | |
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| <p>4. (l) An Bille um Rialáil Cumarsáide (Seirbhísí Poist), 2010 [<i>Bille Seanaid arna leasú ag an Dáil</i>] — An Tuarascáil.
 (a) Communications Regulation (Postal Services) Bill 2010 [<i>Seanad Bill amended by the Dáil</i>] — Report Stage.</p> | |

5. An Bille um Cheartas Coiriúil (Seirbhís Pobail) (Leasú) (Uimh. 2), 2011 [*Dáil*] — An Dara Céim.
Criminal Justice (Community Service) (Amendment) (No. 2) Bill 2011 [*Dáil*] — Second Stage.
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6. An Bille um an Dlí Sibhialta (Forálacha Ilghnéitheacha), 2011 [*Bille Seanaid arna leasú ag an Dáil*] — An Tuarascáil.
Civil Law (Miscellaneous Provisions) Bill 2011 [*Seanad Bill amended by the Dáil*] — Report Stage.
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*Tairiscint:**Motion:*

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| 7. Go ndéanann Seanad Éireann: | That Seanad Éireann: |
| <ul style="list-style-type: none"> — a thabhairt dá haire foilsíú na tuarascála ón gCoimisiún Imscrúdúcháin faoin gcaoi ar láimhseáil údaráis na hEaglaise agus an Stáit líomhaintí agus amhras maidir le drochúsáid ghnéasach leanaí in aghaidh cléireach de chuid Dheoise Chaitliceach Chluana; — a comhbhrón a dhéanamh leis na híospartaigh a bhfuil a gcuid fulaingthe leagtha amach sa tuarascáil; — a buíochas a ghabháil leis an gCoimisiún Imscrúdúcháin as a chuid oibre a dhéanamh go híogair; — a hanbhuaín a chur in iúl maidir le fionnachtana corraitheacha na tuarascála agus maidir leis an bhfreagairt neamhleor mhíchuí, go háirithe ag údaráis na hEaglaise i gCluain, ar ghearáin agus líomhaintí maidir le drochúsáid ghnéasach leanaí; — a rá gur cás léi idirghabháil na Vatacáine ba chionchúis leis an mbonn a bhaint de chreataí agus treoirlíní Stát na hÉireann agus easpaig na hÉireann maidir le cosaint leanaí; — fáilte a chur roimh fhoilsíú Leanaí i dTosach: Treoir Náisiúnta, 2011, a dtabharfar tosaíocht dá chur i bhfeidhm iomlán agus comhsheasmhach, agus fáilte a chur roimh an gceadú ón rialtas d'ullmhú | <ul style="list-style-type: none"> — notes the publication of the report by the Commission of Investigation into the handling by Church and State authorities of allegations and suspicions of child sexual abuse against clerics of the Catholic Diocese of Cloyne; — expresses its sympathy with the victims whose suffering is set out in the report; — expresses its thanks to the Commission of Investigation for their work carried out with sensitivity; — expresses its dismay at the disturbing findings of the report and at the inadequate and inappropriate response, particularly of the Church authorities in Cloyne, to complaints and allegations of child sexual abuse; — deplores the Vatican's intervention which contributed to the undermining of the child protection frameworks and guidelines of the Irish State and the Irish bishops; — welcomes the publication of the Children First National Guidance 2011, the full and consistent implementation of which will be given priority, and welcomes the approval by Government for the |

reachtaíochta lena bhforchuirfear ceanglas reachtúil Leanaí i dTosach: Treoir Náisiúnta a chomhlíonadh;

preparation of legislation to require statutory compliance with the Children First National Guidance;

- a aithint go n-éilíonn an chosaint leanaí feasacht thras-sochaí agus freagairt chomhairíochta fhóinteach ó na heagraíochtaí uile a bhíonn ag obair le leanaí;
 - fáilte a chur roimh fhoilsiú na bhforálacha a bhaineann leis an mBille um Cheartas Coiriúil (Faisnéis faoi Choireanna in aghaidh Leanaí agus Aosach Soghonta a Choimeád Siar), 2011 agus fáilte a chur roimh an bhfógra a tugadh go ndéanfar cinn an Bhille um an mBiúró Náisiúnta Grinn-fhiosrúcháin, 2011 a fhoilsiú faoi dheireadh Iúil 2011 agus a thabhairt don Chomhchoiste um Dhlí agus Ceart, Cosaint agus Comhionannas i gcomhair próisis comhchomhairliúcháin; agus
 - a diongbháilteacht a dhearbhu go ndéanfaidh an Stát gach beart is gá chun a chuid leanaí a chosaint.
 - *Senators Maurice Cummins, Ivana Bacik, Jillian van Turnhout, Darragh O'Brien, David Cullinane, David Norris.*
- acknowledges that child protection requires a cross-societal awareness and a purposeful co-operative response from all organisations working with children;
 - welcomes the publication of the provisions concerning the Criminal Justice (Withholding Information on Crimes against Children and Vulnerable Adults) Bill 2011 and welcomes the announcement made that the heads of the National Vetting Bureau Bill 2011 will be published by the end of July 2011 and furnished to the Joint Committee on Justice, Defence and Equality for a consultative process; and
 - affirms its determination that the State will take all necessary measures to protect its children.”.

Leasú:

Amendment:

1. To delete “deplores the Vatican’s intervention which contributed to the undermining of the child protection frameworks and guidelines of the Irish State and the Irish bishops;” and substitute the following:

“profoundly regrets the Vatican’s intervention in 1997 which contributed to the undermining in the Cloyne diocese of the child protection frameworks and guidelines of the Irish Bishops;

also regrets the absence of satisfactory national guidelines in this State prior to 1999 concerning the reporting of knowledge or suspicion of child abuse, and regrets that Oireachtas Éireann has not yet enacted legislation to compel such reporting and to underpin inter-agency sharing of information;

notes the 2001 Motu proprio from the Vatican Congregation of the Doctrine of the Faith which reformed the Church’s handling of abuse cases and notes that, since then and as evidenced by the approval of the US bishops’ ‘Essential Norms’ document in December 2002, the Vatican has supported national church policies which require compliance with national civil laws on reporting abuse allegations;

notes the Commission of Investigation’s acknowledgement that the standards adopted by the Church in Ireland are ‘high standards which, if fully implemented, would afford proper protection to children’ and that the ‘standards set by the State are less precise and more difficult to implement’;

affirms the work of the National Board for Safeguarding Children established by the Irish Bishops Conference, the Conference of Religious in Ireland and the Irish Missionary Union and urges all the relevant religious authorities to co-operate fully with its work;”.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh, Labhrás Ó Murchú.*

Tíolactha:

Presented:

- 8.** An Bille um Áras an Teaghlaigh, 2011 — Ordú don Dara Céim.
Family Home Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do thoirmeasc ordú cúirte a dheonú maidir le seilbh príomhártais teaghlaigh ach amháin in imthosca ina mbeidh anailís infhíoraithe, mhionsonraithe agus neamhspleách maidir le cumas aisíochta úinéir an árais teaghlaigh tugtha ar aird don chúirt, agus ina mbeidh deis faighte ag an gcúirt an t-iarratas bunaidh ar mhorgáiste a athbhreithniú, agus ina ndéanfar breithniú ar réimse gníomhartha malartacha lena bhféachfar le seilbh an úinéara ar áras an teaghlaigh a chosaint.

Bill entitled to prohibit the granting of a court order for the possession of a primary family home except in circumstances where the court has been presented with a verifiable, detailed and independent analysis of the repayment capacity of the family home owner, and where the court has had an opportunity to review the original mortgage application, and consideration is given to a range of alternative actions that will seek to protect the homeowner's possession of the family home.

—*Senators Mark McSharry, Thomas Byrne.*

Bille (atógáil) (0.02 n. fágtha):

Bill (resumed) (0.02 m. remaining):

- 9.** An Bille um Chlárú Uachtanna, 2011 — An Dara Céim (*atógáil*).
Registration of Wills Bill 2011 — Second Stage (*resumed*).

—*Senator Terry Leyden.*

Tíolactha:

Presented:

- 10.** An Bille um Dhlínse Cúirteanna agus Forghníomhú Breithiúnas (Leasú), 2011 — Ordú don Dara Céim.

Jurisdiction of Courts and Enforcement of Judgments (Amendment) Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do thabhairt éifeacht don Choinbhinsiún maidir le dlínse agus maidir le haithint agus forghníomhú breithiúnas in ábhair shibhialta agus thráchtála arna shíniú in Lugano an 30ú lá de Dheireadh Fómhair, 2007 agus arna chríochnú thar ceann an Chomhphobail Eorpaigh de bhun Chinneadh 2009/430/CE1 ón gComhairle, agus chun na críche sin do leasú an Achta um Dhlínse Cúirteanna agus Forghníomhú Breithiúnas, 1998 agus an Achta Cothabhála, 1994 agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to give effect to the Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters signed at Lugano on the 30th day of October 2007 and concluded on behalf of the European Community pursuant to Council Decision 2009/430/EC1, and for that purpose to amend the Jurisdiction of Courts and Enforcement of Judgments Act 1998 and the Maintenance Act 1994 and to provide for related matters.

11. An Bille um Príobháideacht, 2006 — Ordú don Dara Céim.
Privacy Bill 2006 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir le Tort arb éard é Príobháideacht a Shárú; agus do dhéanamh socrú i dtaobh nithe a bhaineann leis an méid sin.

Bill entitled an Act to provide for a Tort of Violation of Privacy; and to provide for matters connected therewith.

12. An Bille Staidrimh (Leasú i leith Oidhreachta), 2011 — Ordú don Dara Céim.
Statistics (Heritage Amendment) Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta Staidrimh, 1993, i ndáil leis an gcéad daonáireamh ar Éirinn a rinneadh ó bunaíodh an Stát; do thabhairt stádas oidhreachta speisialta don daonáireamh sin agus do chur faoi deara é a chur ar fáil don phobal le haghaidh taighde ginealais, staire agus taighde eile.

Bill entitled an Act to amend the Statistics Act 1993, in relation to the first census of population of Ireland taken since the establishment of the State; to afford that census a special heritage status and to have such released to the public for genealogical, historical and other research.

—*Senator Labhrás Ó Murchú.*

13. An Bille um Thrédhearcacht GNBS, 2011 — Ordú don Dara Céim.
NAMA Transparency Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta fán nGníomhaireacht Náisiúnta um Bainistíocht Sócmhainní (GNBS), 2009 agus do dhéanamh socrú, ar mhaithe le trédhearcacht, chun go mbeidh na mionsonraí iomchuí uile maidir le maoine a thairgtear lena ndíol ag GNBS nó le ceadú GNBS ar fáil don phobal trína bhfoilsíú ar shuíomh gréasáin.

Bill entitled an Act to amend the National Asset Management Agency (NAMA) Act 2009 and to provide that, in the interests of transparency, all relevant details of properties offered for sale by or with the approval of NAMA be available to the public by means of publication on a website.

—*Senators Mark Daly, Darragh O'Brien, Diarmuid Wilson.*

14. An Bille Ombudsman (Leasú), 2008 [Dáil] — An Dara Céim.
Ombudsman (Amendment) Bill 2008 [Dáil] — Second Stage.

15. An Bille Cróinéirí, 2007 — An Coiste.
Coroners Bill 2007 — Committee.

16. Tairiscintí nach ón Rialtas:
Non-Government Motions:

1. “That Seanad Éireann is keenly aware of the suffering of the families of those who died or were injured in the Dublin and Monaghan bombings and in all the atrocities that were inquired into by Judge Henry Barron; that this suffering is exacerbated by the absence of closure in these terrible tragedies; and that we support their call for

co-operation by the British Government to actively participate in a process to help provide answers to the questions that remain unanswered; and that the Irish Government will continue in its efforts to urge the British Government to give urgent consideration to this matter.”.

—*Senators Mary White, Darragh O’Brien, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Brian Ó Domhnaill, Denis O’Donovan, Labhrás Ó Murchú, Ned O’Sullivan, Averil Power, Jim Walsh, Diarmuid Wilson.*

[16 June, 2011]

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2. “That Seanad Éireann will appoint an Honorary Senator to represent the Global Irish Community Overseas.”.

—*Senators Mark Daly, Diarmuid Wilson, Mary White, Darragh O’Brien, Thomas Byrne, Terry Leyden, Marc MacSharry, Paschal Mooney, Brian Ó Domhnaill, Denis O’Donovan, Labhrás Ó Murchú, Ned O’Sullivan, Averil Power, Jim Walsh.*

[28 June, 2011]

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3. “That Seanad Éireann calls on the Minister for Health and the Government to honour its pre-election commitments and ensure the continuation of the existing twenty-four hour a day, seven day a week, Accident and Emergency services at Roscommon County Hospital.”.

—*Senators Terry Leyden, Diarmuid Wilson, Darragh O’Brien, Thomas Byrne, Mark Daly, Marc MacSharry, Paschal Mooney, Brian Ó Domhnaill, Denis O’Donovan, Labhrás Ó Murchú, Ned O’Sullivan, Averil Power, Jim Walsh, Mary White.*

[6 July, 2011]

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4. “That Seanad Éireann calls on the Irish Government to formally recognise a Palestinian State at the UN General Assembly meeting in September 2011 and that such a state would be based upon Israel’s pre-1967 borders with mutually agreed land swaps.”

—*Senators Darragh O’Brien, Diarmuid Wilson, Ned O’Sullivan, Denis O’Donovan, Marc MacSharry, Labhrás Ó Murchú, Brian Ó Domhnaill, Paschal Mooney, Terry Leyden, Thomas Byrne, Jim Walsh, Averil Power, Mark Daly, Mary White, Jillian van Turnhout, Marie Louise O’Donnell, Fiach Mac Conghail, Katherine Zappone, David Norris, Trevor Ó Clochartaigh, Kathryn Reilly, David Cullinane.*

[26 July, 2011]

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17. An Seanad a chur ar athló.
Adjournment of the Seanad.

BILLÍ SEANAID SA DÁIL
Seanad Bills with the Dáil

An Bille um Sheirbhísí Maoine (Rialáil), 2009.
Property Services (Regulation) Bill 2009.

An Bille um Chonarthaí Foirgníochta, 2010.
Construction Contracts Bill 2010.

An Bille Meabhair-Shláinte (Leasú), 2008
 (*athraithe ó*) An Bille Meabhair-Shláinte (Bearta Ainneonacha) (Leasú), 2008.
 Mental Health (Amendment) Bill 2008
 (*changed from*) Mental Health (Involuntary Procedures) (Amendment) Bill 2008.

An Bille um Cheartas Coiriúil (Ciorrú Ball Giniúna Baineann), 2011.
 Criminal Justice (Female Genital Mutilation) Bill 2011.

MEMORANDA

Dé Máirt, 26 Iúil, 2011.
Tuesday, 26th July, 2011.

Cruinniú den Chomhchoiste um Ghnóthaí Eachtracha agus Trádáil i Seomra Coiste 4, TL2000, ar 2.30 p.m.
 Meeting of the Joint Committee on Foreign Affairs and Trade in Committee Room 4, LH2000, at 2.30 p.m.

Cruinniú den Chomhchoiste um Chomhshaol, Iompar, Cultúr agus Gaeltacht i Seomra Coiste 2, TL2000, ar 2.30 p.m.
 Meeting of the Joint Committee on Environment, Transport, Culture and the Gaeltacht in Committee Room 2, LH2000, at 2.30 p.m.

Cruinniú den Roghchoiste um Leasanna Chomhaltaí Sheanad Éireann i Seomra Coiste 1, TL2000, ar 3.30 p.m.
 Meeting of the Select Committee on Members' Interests of Seanad Éireann in Room 1, LH2000, at 3.30 p.m.

Cruinniú den Chomhchoiste um Airgeadas, Caiteachas Poiblí agus Athchóiriú i Seomra Coiste 2, TL2000, ar 4 p.m.
 Meeting of the Joint Committee on Finance, Public Expenditure and Reform in Committee Room 2, LH2000, at 4 p.m.

Dé Céadaoin, 27 Iúil, 2011.
Wednesday, 27th July, 2011.

Cruinniú den Chomhchoiste um Poist, Coimirce Shóisialach agus Oideachas i Seomra Coiste 3, TL2000, ar 9.30 a.m.
 Meeting of the Joint Committee on Jobs, Social Protection and Education, in Committee Room 3, LH2000, at 9.30 a.m.

PÁIPÉIR A LEAGADH FAOI BHRÁID AN tSEANAID
Papers laid before the Seanad

Reachtúil:

Statutory:

1) An Oifig Achomharc Leasa Shóisialaigh. Tuarascáil Bhliantúil, 2010.

1) Social Welfare Appeals Office. Annual Report, 2010.

2) An tÚdarás Comhionannais. Tuarascáil Bhliantúil, 2010.

2) Equality Authority. Annual Report, 2010.

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| 3) Bord na Móna. Tuarascáil Bhliantúil, 2010/2011. | 3) Bord na Móna. Annual Report, 2010/2011. |
| 4) Coimisiún an Chúlchiste Náisiúnta Pinsean. Tuarascáil Bhliantúil agus Ráitis Airgeadais, 2010. | 4) National Pension Reserve Fund Commission. Annual Report and Financial Statements, 2010. |
| 5) An tÚdarás Ceadúnúcháin um Báid Iascaireachta Mara. Tuarascáil Bhliantúil, 2010. | 5) Licensing Authority for Sea-fishing Boats. Annual Report, 2010. |
| 6) Gníomhaireacht Bainistíochta an Chisteáin Náisiúnta. Tuarascáil Bhliantúil agus Cuntais don bhliain dar chríoch 31 Nollaig, 2010. | 6) National Treasury Management Agency. Annual Reports and Accounts for the year ended 31 December, 2010. |
| 7) Rialacháin na gComhphobal Eorpach (Éin Fhiáine a Chaomhnú (Limistéar Cosanta Speisialta Thrá an Choimín 004035)), 2011 (I.R. Uimh. 376 de 2011). | 7) European Communities (Conservation of Wild Birds (Cummeen Strand Special Protection Area 004035)) Regulations 2011 (S.I. No. 376 of 2011). |
| 8) Na Rialacháin um Scéimeanna Pinsean Ceirde (Scéim Rialála Cistí Dílse), 2011 (I.R. Uimh. 387 de 2011). | 8) Occupational Pension Schemes (Regulatory Own Funds Scheme) Regulations 2011 (S.I. No. 387 of 2011). |
| 9) Ráiteas faoi Alt 29 de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001 maidir leis an Seanadóir Shane Ross do na tréimhsí clárúcháin 1 Eanáir, 2008 go 31 Nollaig, 2008; 1 Eanáir, 2009 go 31 Nollaig, 2009 agus 1 Eanáir, 2010 go 31 Nollaig, 2010. | 9) Statement under Section 29 of the Ethics in Public Office Acts 1995 and 2001 in respect of Senator Shane Ross for the registration periods 1 January, 2008 to 31 December, 2008; 1 January, 2009 to 31 December, 2009 and 1 January, 2010 to 31 December, 2010. |

Neamhreachtúil:

1) Seanad Éireann. An Trú Tuarascáil ón gCoiste Roghnóireachta. 21 Iúil, 2011.

2) Rialacháin na gComhphobal Eorpach (Caighdeáin Mhargaíochta) (Barra agus Olaí), 2011 (I.R. Uimh. 378 de 2011).

3) Rialacháin na gComhphobal Eorpach (Margú Ábhair Iomadaithe Plandaí Torthaí), 2011 (I.R. Uimh. 384 de 2011).

4) Meastacháin Athbhreithnithe i gcomhair Seirbhísí Poiblí, 2011.

5) Tithe an Oireachtas. An Conradh ar an Aontas Eorpach: Doiciméid a fuarthas de bhun an Phrótacaíl maidir le Ról Parlaimintí Náisiúnta san Aontas Eorpach. 11 go 15 Iúil, 2011.

6) Rialacha na Cúirte Cuarda (Páirtnéireacht Shibhialta agus Comhchónaí), 2011 (I.R. Uimh. 385 de 2011).

Non-Statutory:

1) Seanad Éireann. Third Report of the Committee of Selection. 21 July, 2011.

2) European Communities (Marketing Standards) (Crops and Oils) Regulations 2011 (S.I. No. 378 of 2011).

3) European Communities (Marketing of Fruit Plant Propagating Material) Regulations 2011 (S.I. No. 384 of 2011).

4) Revised Estimates for Public Services, 2011.

5) Houses of the Oireachtas. Treaty on European Union: Documents received pursuant to Protocol on the role of National Parliaments in the European Union. 11 to 15 July, 2011.

6) Circuit Court Rules (Civil Partnership and Cohabitation) 2011 (S.I. No. 385 of 2011).

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| 7) An tOrdú um Acht na Lia-Chleachtóirí (Leasú), 2011 (Tosach Feidhme), 2011 (I.R. Uimh. 388 de 2011). | 7) Medical Practitioners (Amendment) Act 2011 (Commencement) Order 2011 (S.I. No. 388 of 2011). |
| 8) Rialacháin an Aontais Eorpaigh (Lipéadú Fuinnimh), 2011 (I.R. Uimh. 366 de 2011). | 8) European Union (Energy Labelling) Regulations 2011 (S.I. of 366 of 2011). |
| 9) Tithe an Oireachtais. An Comhchoiste um Ghnóthaí Eorpacha. Clár Oibre, 2011 (Iúil, 2011). | 9) Houses Of The Oireachtas. Joint Committee on European Affairs. Work Programme, 2011 (July, 2011). |
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